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REMARKS**STATUS OF CLAIMS**

Claims 1-2 and 5-12 have been pending.

Claims 1 and 9 are rejected under 35 USC 102(e) as being anticipated by DeSimone (US 6,212,548). See, page 2 of the Office Action. DeSimone is newly cited, and, thus, newly relied upon.

Claim 2 is rejected under 35 USC 103(a) as being unpatentable over DeSimone and knowledge well known in the art (page 4 of the Office Action).

Claims 5, 7, 8 and 10-12 are rejected under 35 USC 103(a) as being unpatentable over DeSimone in view of Harada (US Patent No. 6,434,604). See, page 5 of the Office Action. Harada is newly cited, and, thus, newly relied upon.

Claim 6 is rejected under 35 USC 103(a) as being unpatentable over DeSimone, Harada and further in view of knowledge well known in the art (page 6 of the Office Action).

Claims 1-2 and 5-12 are amended, claims 13-17 are added, and, thus, claims 1-2 and 5-17 remain pending for reconsideration, which is respectfully requested.

No new matter has been added in this Amendment. The foregoing rejections are hereby traversed.

35 USC 102 and 103 REJECTIONS

Independent claims 1 and 9 (directed to a communication method and a controllable character), and independent claims 5 and 10-12 (directed to a chat administrative device), are amended to further clarify/emphasize the patentably distinguishing features of the present invention over the newly cited and relied upon references of DeSimone and Harada.

Support for claim amendments can be found, for example, on page 5, lines 18-24; page 20, line 13 to page 22, line 5; page 25, line 7 to page 26, line 24; page 28, line 1 to page 29, line 7; and FIG. 3 of the present Application.

DeSimone

DeSimone discloses a system and method for multiple asynchronous text chat conversations (Abstract and FIG. 7). The Examiner in page 3 of the Office Action relies on DeSimone, column 2, lines 48-56, column 5, lines 55-66, column 6, lines 1-23, column 9, lines 1-

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58, and FIGS. 5A-5C, to reject independent claims 1 and 9. However, in contrast to DeSimone, the present invention as recited in amended independent claim 1, provides:

1. (CURRENTLY AMENDED) A communication promotion method used in a chat system having a plurality of chat devices which share any of virtual chat spaces being configured on a network and which send and receive messages among themselves, comprising:
 - linking or installing in each chat device a character ~~the chat devices~~ image representations and/or physical representations of chat participants that can be operated according to a ~~predetermined operation instruction~~ instructions received by the chat device via the network from a chat administrator of the chat space of the chat devices,
 - detecting by the chat administrator a predetermined event occurring within the chat space of the chat devices,
 - determining at the chat administrator a plurality of different operation instructions for operating each chat device ~~character the image representations and/or the physical representations of the chat participants~~ linked or installed in the chat devices, based on the detected event,
 - determining at the chat administrator ~~a plurality of different chat devices in the chat space that operate the characters, as determined different operation instruction destinations to be sent one of different chat device destinations corresponding to the~~ determined plurality of the different operation instructions for operating the image representations and/or the physical representations of the chat participants linked or installed in the different chat device destinations, and
 - sending by the chat administrator the determined plurality of the different operation instructions via the chat system to the determined corresponding different operation instruction chat device destinations operating each character.

The Applicants respectfully disagree with the Examiner's characterization of DeSimone, because all of the description references of DeSimone relied upon by the Examiner disclose processing of chat conversation messages by chat participants, which differs from the present claimed invention's "linking or installing in each chat device a character the chat devices image representations and/or physical representations of chat participants that can be operated according to ~~a predetermined operation instruction~~ instructions" (e.g., amended claim 1).

For example, the Examiner relies on DeSimone's column 2, lines 48-56 and a chat window displaying conversation messages of participants, such as FIGS. 4, 5 and 7. However, a typical chat window displaying a chat participant conversation message differs from the present invention's claimed recitation, "linking or installing in the chat devices image

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representations and/or physical representations of chat participants that can be operated according to predetermined operation instructions," which is a controllable image and/or physical representation of a chat participant.

In other words, the present claimed invention's "image representations and/or physical representations of chat participants that can be operated according to predetermined operation instructions" differ from DeSimone's displayed chat participant's name (user name) and a conversation message of the chat user, such as "Dawn> Hello!" in FIG. 4A of DeSimone.

For example, the Examiner also relies on DeSimone's column 6, lines 1-23, column 9, lines 1-58, and FIGS. 5A-5C, in which a new participant DAVE is added to the chat space and different chat space messages of "DAVE ADDED" and "WELCOME" are displayed in the chat space. However, characterizing DeSimone's chat space displayed messages in FIGS. 5A-5C to be similar to the present invention's controllable image and/or physical representation of a chat participant is overly broad and unreasonable, as follows. Because in contrast to DeSimone, the present invention's claims recite, "determining at the chat administrator a plurality of different operation instructions for operating ~~each chat device character~~ the image representations and/or the physical representations of the chat participants linked or installed in the chat devices, based on the detected event" (e.g., amended claim 1).

In other words, DeSimone performs a chat space function of adding DAVE to the chat space and displays different chat space messages "DAVE ADDED" and "WELCOME" in the chat clients, which differs from the present claimed invention's, "determining ... different operation instructions for operating the image representations and/or the physical representations of the chat participants installed and/or linked in the chat devices, based on the detected event," because DeSimone does not control any ***"image representations and/or the physical representations of the chat participants"*** (emphasis added).

Further in contrast to DeSimone, the present claimed invention provides,

~~determining at the chat administrator a plurality of different chat devices in the chat space that operate the characters, as determined different operation instruction destinations to be sent one of different chat device destinations corresponding to the~~
determined plurality of the different operation instructions for operating the image representations and/or the physical representations of the chat participants linked or installed in the different chat device destinations (e.g., claim 1)

In contrast to DeSimone, in the present claimed invention controllable image and/or physical representations of the users are operated in the way that they are optimized for the

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users in different environments. In the present invention, operation commands of image and/or physical representations of the users, which are transmitted to chat devices in a virtual space according to an event, are not all the same. Each operation command depends on each chat device in a virtual space, that is, depends on an environment of each user who operates the chat device.

Suppose, for example, that user A joins the virtual space in which users B and C participate. Image representations and/or physical representations on the chat device of user A represent users B and C, and they make a movement of "welcome," which is a movement that can be attributed to the users B and C. On the other hand, an image representation and/or a physical representation on the chat devices of user B and C represent user A, and it makes a movement of "hello," which is a movement that can be attributed to user A. Because the present invention transmits different suitable control commands to control an image and/or a physical representation of a chat participant at each chat device, an image representation and/or a physical representation of each user operates according to an environment of each user. As a result, users can carry out an intuitive communication.

DeSimone, does not disclose or suggest the present claimed invention's "determining ... ***different chat device destinations corresponding to the determined plurality of the different operation instructions for operating the image representations and/or the physical representations of the chat participants linked or installed in the different chat device destinations***" (emphasis added, e.g., amended claim 1).

In view of the claim amendments and the remarks, withdrawal of the anticipatory rejection of independent claims 1 and 9 is respectfully requested. Also, in view of the claim amendments and the remarks, all of the Examiner's well-known assertions, such as those for dependent claims 2 and 6, are hereby traversed.

Combination of DeSimone and Harada

In rejecting independent claims 5 and 10-12, the Examiner relies on Harada, because DeSimone does not disclose the present claimed invention's "association table." In particular, the Examiner acknowledges on page 5, last paragraph, of the Office Action that DeSimone does not explicitly show the present claimed invention's "association table." MPEP § 706.02(j) sets forth the contents of a rejection under § 103: "To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the

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art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure" (emphasis in original). *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP 2143-2143.03 for decisions pertinent to each of these criteria. Factual findings in support of a *prima facie* case of obviousness must be supported by substantial evidence. *In re Zurko*, 59 USPQ2d 1693, 1696 (Fed. Cir. 2001). There is no such substantial evidence that DeSimone provides the suggestion or motivation to be modified and/or combined with Harada to achieve the present claimed invention's "association table ... to operate image representations and/or physical representations of chat participants" (e.g., amended independent claim 5). There is also no substantial evidence concerning knowledge generally available to one of ordinary skill in the art that would lead that individual to modify DeSimone and/or to combine DeSimone and Harada, as follows. In other words, there is no suggestion or motivation in the knowledge generally available to one of ordinary skill in the art, to combine and/or modify DeSimone with Harada, as follows. Because as discussed above, DeSimone does not disclose or suggest the present claimed invention's, "... image representations and/or physical representations of chat participants that are linked to or installed in each operation instruction destinationthe chat device destinations" (e.g., amended independent claim 5), DeSimone cannot disclose or provide any suggestion and/or motivation to one skilled in the art to be modified or combined with Harada, to provide the present claimed invention's "***an association table that relationally stores a predetermined event occurring in a chat space with participating chat devices, and a corresponding plurality of different predetermined operation instructions corresponding to a plurality of different operation instruction chat device destinations to operate a character****image representations and/or physical representations of chat participants that are linked to or installed in each operation instruction destination****the chat device destinations*** (e.g. amended independent claim 5, emphasis added).

The Examiner also asserts in page 5, last paragraph, of the Office Action, that the present claimed invention's "association table" is well known and an obvious modification to DeSimone as evidenced by Harada. However, even if one combined DeSimone and Harada, the combined system would not disclose or suggest the present claimed invention, because in page 6 of the Office Action, the Examiner relies on Harada, FIGS. 7, 8, and column 4, lines 1-49, which discloses Harada's processing flow of a message displaying unit in a chat client of the

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system. In particular, Harada discloses: "In step D3, the message displaying unit retrieves a table including a correspondence between a balloon from number and a balloon form and determines the balloon form" (column 4, lines 6-8). However, in Harada, the table is stored and used by the client, whereas in contrast to the Harada, the present claimed invention provides an "association table" in an "administrative device used in a chat system." Further, Harada's table does not disclose or suggest the present claimed invention's,

an association table that relationally stores a predetermined event occurring in a chat space with participating chat devices, and a corresponding plurality of different predetermined operation instructions corresponding to a plurality of different operation instruction chat device destinations to operate a character image representations and/or physical representations of chat participants that are linked to or installed in each operation instruction destination the chat device destinations... (e.g., amended claim 5, emphasis added).

See, FIG. 3 of the present Application. In contrast to Harada, the present invention as recited in independent claims 5, and 10-12 are directed to an "administration device used in a chat system," which has a server function, and stores "an association table that relationally stores a predetermined event occurring in a chat space ..., and ... different predetermined operation instructions corresponding to ... different chat device destinations to operate image representations and/or physical representations of chat participants that are linked to or installed in the chat device destinations" (e.g., amended independent claim 5, emphasis added). In other words, Harada's tables 301 and 302 in FIG. 8 do not store the present invention's, "different predetermined operation instructions corresponding to ... different chat device destinations to operate image representations and/or physical representations of chat participants." Accordingly, the Examiner's well-known assertion of the present claimed invention's "association table ... to operate image representations and/or physical representations of chat participants" (e.g., amended independent claim 5) is hereby traversed, because Harada that is relied upon by the Examiner as evidence of such well known assertion does not disclose or suggest the present claimed invention's "association table ... to operate image representations and/or physical representations of chat participants."

Therefore, it is submitted that independent claims 5 and 10-12 are allowable, because even if one combined DeSimone and Harada, the combined system does not disclose or suggest the present invention as recited in independent claim 5 and 10-12.

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Independent Claim 9

Further, in contrast to DeSimone and Harada, the present invention as recited in independent claim 9 discloses:

9. (CURRENTLY AMENDED) ~~A character~~An image representation and/or a physical representation of a chat participant linked to or installed in a chat device ~~which~~that is connected to a network, ~~and which~~ shares any of virtual chat spaces being configured on said network, ~~and which~~ sends and receives messages, comprising:

an input unit to ~~input receive character operation~~instructions to operate the image representation and/or the physical representation of the chat participant;

a communicator sending the input operation instructions and receiving operation instructions for operating the image representation and/or the physical representation of the chat participant ~~character~~, between the chat device and the ~~character~~image representation and/or the physical representation of the chat participant, and

a controller controlling the ~~character~~image representation and/or the physical representation of the chat participant based on said received operation instructions.

DeSimone and Harada do not disclose or suggest the present claimed invention's "an image representation and/or a physical representation of a chat participant." Support for independent claim 9 can be found, for example, on page 28 of the present Application.

New Dependent Claims 13-17

New dependent claims 13-17 are added depending (directly or indirectly) from independent claim 5, and new dependent claims 13-17 recite patentably distinguishing features of their own over DeSimone and Harada and/or are at least patentably distinguishing by being dependent from independent claim 5. Support for the new dependent claims can be found, for example, on pages 21-26 of the present Application. In particular, in contrast to DeSimone and Harada, the present claimed invention as recited in dependent claims 13-17 is directed to "association table events comprising participate in the chat space, withdraw from the chat space, a number of chat participants in the chat space exceeds a predetermined number, a change in a mode or a topic of the chat space, a chat statement has not been made for longer than a specified time, a statement of a chat participant nickname or name, chatting is frequent, and specifying a chat participant image representation and/or physical representation." (new dependent claim 13), and how the "operation instruction determiner processes the overlapping

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events according to a specified event processing method" (e.g., new dependent claims 14-17).

CONCLUSION

In view of the claim amendments and the remarks, withdrawal of the rejections of pending claims and allowance of rejected pending claims, including new dependent claims 13-17, is respectfully requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,
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Date: June 21, 2004

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on June 21, 2004

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